

would recommend campaign finance reforms. The Claremont Commission Act, which is named after the agreement reached between President Clinton and Speaker GINGRICH at a meeting in my home State of New Hampshire, would establish a nine-member commission to examine campaign finance rules and propose comprehensive legislation for reform.

The Claremont Commission would make recommendations based on good policy, not politics. The creation of such a commission finally would make good on the promise that President Clinton and Speaker GINGRICH made when they shook hands in Claremont in May, 1995.

Mr. President, the McCain-Feingold campaign finance reform bill is seriously flawed. Indeed, I believe that it is unconstitutional because it unduly restricts the freedom of speech that is guaranteed by the first amendment to our Nation's Constitution.

The bill's ban on soft money is a restriction on free speech. Even worse, in my view, the bill's severe limitations on so-called issue advocacy advertisements that mention a candidate's name, or show the candidate's likeness, within 60 days of an election, involve a direct regulation of the content of political speech.

Our Nation's founders meant to allow free, open, and robust political speech and debate. The McCain-Feingold bill, however, moves to limit free speech and debate. I wholeheartedly agree with my distinguished colleague from Kentucky, Senator MCCONNELL, as well as the many constitutional scholars whose views he has cited, that the McCain-Feingold bill goes too far in regulating and restricting free speech and, therefore, is unconstitutional.

I believe that any meaningful campaign finance reform proposal ought to require candidates to disclose completely to the American people what they spend on their campaigns and from whom they received campaign contributions. Full disclosure, not limitations on free speech, is the right kind of campaign finance reform.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

(The remarks of Mr. GRAMM pertaining to the introduction of S. 1260 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, we are due to recess.

Mr. GRAMM. Mr. President, we have two other speakers here. I assume they are going to want to extend morning business. If I can, without seeing the Senate adjourn, why don't I yield the floor to Senator WYDEN and he can ask unanimous consent for himself and Senator FRIST, that they each have an opportunity to speak briefly before we adjourn.

I yield to Senator WYDEN.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank my colleague from Texas. I ask unanimous consent, Mr. President, that I be allowed to speak as in morning business for 5 minutes and that Senator FRIST may speak as well for 5 minutes, and there may be at least two other Senators that would like to speak as in morning business for 5 minutes.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Senator THOMPSON from Tennessee be accorded 5 minutes before the luncheon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that Senator FEINSTEIN be allowed to speak for 5 minutes, as well, as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I ask unanimous consent to be allowed to speak for up to 5 minutes also before the recess.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, I also ask unanimous consent that Senator DODD be allowed to speak for up to 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMPAIGN FINANCE REFORM

Mr. WYDEN. Mr. President, my first official act as a new U.S. Senator, taken 15 minutes after I was sworn in, was to become a sponsor of the bipartisan campaign finance reform bill that the U.S. Senate will begin to vote on later today.

I strongly believe that political campaigns should be about people and not money. But that is not what is happening in America today. Campaign finance activity has become like the arms race—one side gets \$10, the next side gets \$20, the other side comes back and gets \$30. It spirals up and up—spending that is out of control, spending that is simply unaccountable to voters.

Every Member of the U.S. Senate has devoted hours and hours to fundraising. Every Member of the U.S. Senate knows that when there is an election that Tuesday in November, folks sleep in on Wednesday, and then in November it starts all over again. Every Member of the U.S. Senate knows that America deserves better.

I don't agree with every part of the McCain-Feingold bipartisan campaign finance legislation; I would not pretend otherwise. And I think that is true of many of the sponsors of this legislation. But if this bipartisan bill passes, candidates in America are going to spend more time talking to voters in shopping malls and less time working the phones raising funds. That is going to be good for democracy in America,

and I hope the Senate passes this bipartisan bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

(The remarks of Mr. FRIST pertaining to the introduction of S. 1261 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

CAMPAIGN FINANCE REFORM

Mr. GRAMM. Mr. President, I wanted to comment a little bit on the campaign finance debate that is going on.

Mr. President, over the last several months, Americans have expressed grave concern over the daily reports of alleged illegal or improper campaign contributions to the Democratic National Committee and White House during the 1996 campaign cycle. These reports have raised the perception among some Americans that access and votes can be bought in Washington and that the system for financing our Federal campaigns is corrupt and broken.

Consequently, there have been many proposals introduced in the Congress that are intended to change the way in which campaigns for Federal office are financed. Most of these proposals call for enacting new limits on how Americans can exercise their political freedoms. Their stated purpose is to ultimately restore the trust of the public in their Government.

I share the concerns about these reports of irregular and even illegal fundraising during the 1996 elections. However, I disagree that the way to respond to these concerns is to pass new laws that would do nothing more than limit the ability of Americans to exercise their political freedoms guaranteed by the first amendment.

The first amendment has always been the basis for active citizen participation in our political process. The first amendment ensures that, among other things, average Americans can participate in our democratic process through publicly disclosed contributions to campaigns of their choice. It also allows Americans to freely draft letters to the editor, distribute campaign literature, and participate in rallies and get-out-the-vote drives.

In my view, the Federal Government can restore the integrity of our electoral process through greater enforcement of existing laws, increased disclosure of contributions and expenditures, and protection of the rights of Americans to become involved in the democratic process without fear of coercion. We don't need new campaign finance laws. Simply loading new laws upon those which have already been broken will not solve the problem. After all, if campaigns or donors would not obey the current laws, strengthened almost 25 years ago after the Watergate scandal, why would we believe they would

obey a new set of rules? They simply can't.

The whole exercise is a public relations scheme designed to let the public think we are reacting—when we are not. To move in this direction would only threaten the ability of Americans to participate in the democracy which they have helped to create. Placing new limits or government controls are not the answer.

Mr. President, this leads me to my concerns with the McCain-Feingold proposal. While I commend the proponents of McCain-Feingold for making some minor changes to their initial proposal, such as removing the provisions providing for voluntary spending limits and restrictions on political action committees, the modified McCain-Feingold proposal still continues to suppress the rights of Americans to communicate their ideas and express their views.

For example, this modification is premised upon the belief that there is too much money spent on American elections. If we accept this assumption, then Congress has decided to assert questionable authority to suppress the rights of Americans to become involved in the political process and make their voices heard.

In fact, the belief that there is government justification for regulating the costs of political campaigns was rejected by the Supreme Court in the landmark case of *Buckley versus Valeo*. In *Buckley*, the Court declared,

The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive or unwise. In the free society ordained by our Constitution it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

The McCain-Feingold proposal also fails to recognize that Americans have a right to petition the government and have their voices heard. Americans have both a right and obligation to make their views known and hold those that seek to represent them accountable for their actions or positions on issues.

Mr. President, I expect the American people will receive a full disclosure of campaign finance law violations. I believe the testimony before the Governmental Affairs Committee has thus far proved the need for the Federal Government to focus its efforts on greater enforcement of our existing laws and prosecution of those who violate the laws, before Congress seeks to pass new laws. Congress should not use violations of existing law to restrict political speech and participation by those who abide by current law.

In addition to more timely enforcement of our existing election laws, we should encourage greater disclosure of each contribution and expenditure. Fair and frequent disclosure of contributions by Federal office seekers will open up the political process to the electorate.

I am encouraged by the disclosure provisions contained within the McCain-Feingold proposals. We share the same goal of letting the sun shine on the process. I am sure there will be additional opportunities to debate this aspect of the McCain-Feingold proposal.

Finally, Congress should work to protect the right of Americans to participate in the democratic process without fear of coercion. Despite the Supreme Court decision in *Communications Workers of America versus Beck* almost 10 years ago, millions of Americans still have portions of their paychecks taken and used for political purposes for which they may disagree, without their knowledge or consent.

I believe forcing an individual to make compulsory campaign contributions is contrary to our constitutional form of government and the first amendment freedoms we enjoy as citizens. As Thomas Jefferson once said, "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical." For these reasons, I support the majority leader's decision to offer the "Paycheck Protection Act" as an amendment to the McCain-Feingold bill. I do not consider this a "poison pill" to passage of campaign finance legislation, but rather effective medicine for our Nation's employees because it will allow individuals to regain control of their paychecks, avoid coercion, and exercise their political freedoms.

Finally, Mr. President, as we approach the next century, the Senate has the responsibility to restore the public's trust in their government and preserve the political freedoms that were enacted over 200 years ago. I remain hopeful that our actions here will not affect the ability of future generations of Americans to enjoy these same freedoms.

I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized to speak for 5 minutes.

Mr. DODD. Mr. President, I thank the Chair. I may need a few more minutes than 5. I will see how things are going, Mr. President, and may request unanimous consent to proceed a bit longer.

(The remarks of Mr. DODD pertaining to the introduction of S. 1260 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

CAMPAIGN FINANCE REFORM

Mr. THOMPSON. Mr. President, I understand that the so-called Lott

amendment will be considered this afternoon after lunch—an amendment to the campaign finance reform bill known as the McCain-Feingold bill. I want to address that briefly. I have given it serious consideration because I think it is a serious matter.

I must say that I agree with the underlying intent of this legislation. I support the concept of this amendment. I would like to see it enacted into law. I believe that American workers need all the protections they can get with regard to the matters that are addressed in this amendment. In fact, I intend to cosponsor freestanding legislation that would give us an opportunity to have an up-or-down vote on this idea.

But, Mr. President, as I look at this, I became concerned whether or not there is any chance of this amendment ever becoming law because, as I understand it, it is an amendment to the campaign finance bill. When I ask around whether or not those who are supporting the amendment will support the bill in case the amendment passes, I don't get any affirmative responses. In other words, as I see the state of play now, if we pass this amendment, then those who are primarily in support of the amendment will still oppose the underlying legislation. So there is no chance, as I see it, that the amendment or the ideas expressed in the amendment have any chance at all for becoming law in this process.

I am an original cosponsor of this particular legislation, the McCain-Feingold bill. I cannot align myself, even though I agree with the underlying intent, with an effort that has no chance of success in terms of passing any legislation or passing an amendment but that would, in effect, make sure that the underlying bill, McCain-Feingold, and the so-called Lott amendment, would both never become the law of this land. That is what we are faced with.

I must say it makes it a little bit more difficult for me when it is openly expressed as an effort to kill the underlying legislation.

So, Mr. President, I will do what I can for the rest of this Congress to see that the working men and women are protected in this regard.

I think it is a noble settlement. I think it is a good idea. There is freestanding legislation on this which I will support. But since I see no hope and no opportunity for this amendment to ever have the force and effect of law, then I cannot support it and will not.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to be heard for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I just want to express my gratitude and the gratitude of the Senator from Arizona for the statement of the Senator from Tennessee, the fact that he was an original cosponsor of this bill, he has been bipartisan every step of the way